

(Second information). On or about September 23, 1947, the defendant received a quantity of *Special dairy feed* in interstate commerce at Mankato, Minn., from Sioux City, Iowa, and proffered and delivered such article for pay or otherwise.

PRODUCT: Analyses disclosed that the *Super Culture all purpose feed* consisted of a reddish-colored mixture containing protein (14.90% and 16.51%, respectively, in 2 samples), crude fiber and crude fat, together with salt, soda, iron oxide, and cereal bran; and that the *Special dairy feed* consisted essentially of a reddish-colored mixture containing 18.60% sulfanilamide and 10.00% protein, and crude fiber and crude fat, together with salt, soda, iron oxide, cereal bran, and anise.

NATURE OF CHARGE: *Super Culture all purpose feed*. Misbranding, Section 502 (a), certain statements in the circulars accompanying the article were false and misleading. The statements represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of flu, spleen trouble, rickets, abortion, jaundice, worms, and necro in hogs; that the article would get hogs in a healthy condition; that it would prevent bowel trouble in chicks and increase the egg production of hens; that the article when used in conjunction with a product known as "Special Dairy Culture" or "Special Dairy Feed" would be efficacious in the cure, mitigation, treatment, and prevention of mastitis; that the article would eliminate and correct 80 percent of the dietary troubles and diseases which produce unthriftiness in hogs; and that it would be efficacious in the prevention of white diarrhea, necro, enlargement of the spleen, flu, and worms in brood sows, pigs, and shoats. The article would not be efficacious for the purposes so represented and suggested.

Special dairy feed. Misbranding, Section 502 (a), certain statements on bags containing the article and upon tags attached to such bags were false and misleading. The statements represented and suggested that the article would be efficacious in the treatment of mastitis, whereas the article would not be efficacious for that purpose.

The articles were alleged to be misbranded also under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: On June 7, 1950. A plea of guilty having been entered, the court suspended the imposition of sentence on each information and placed the defendant on probation for 2 years.

3199. Misbranding of Breed. U. S. v. 24 Pails * * *. (F. D. C. No. 29313. Sample No. 77226-K.)

LIBEL FILED: May 15, 1950, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about March 31, 1950, by Breed, Inc., from Galesburg, Ill.

PRODUCT: 24 25-pound pails of Breed at St. Louis, Mo.

LABEL, IN PART: (Tag) "Breed for Calves - Hogs - Poultry - Dairy Cows - Feeder Cattle * * * Ingredients Dried Whole Milk, Wheat Germ Oil, Riboflavin, Dried Buttermilk, Dried Whey, Starch, Choline Chloride, Thiamin, Niacin, Pantothenic Acid, Salt, Yeast, Iron Oxide, Anise, Iron Sulphate, Blood Flour, St. Johns bread, Ginger, Powdered (Vit. A), (D₃), Activated Animal Sterol, Red Dog, Cobalt, Calcium Carbonate, Iodide, Boron, Spent Bone Black, Manganese Sulphite, Copper Sulphate, Dried Fish Soluble."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the articles were false and misleading since the article was not capable of accomplishing the results stated and implied by such statements. The statements represented and suggested that calves would seldom scour when the article was fed to them; that the article would insure healthy litters from sows; that it would help reduce baby chick fatalities; that by adding the article to the dairy ration, dairy cows would have a higher disease resistance and would be in better condition to assimilate their feed and turn it into butterfat and milk production; and that the article would tend to keep sows healthy and insure a good flow of milk when they farrow.

DISPOSITION: June 15, 1950. Default decree of condemnation and destruction.

3200. Adulteration and misbranding of Spear egg mash. U. S. v. 15 Bags, etc.
(F. D. C. No. 29095. Sample Nos. 70959-K, 70960-K.)

LIBEL FILED: May 5, 1950, District of Kansas.

ALLEGED SHIPMENT: On or about March 16, 1950, by Spear Mills, Inc., from Kansas City, Mo.

PRODUCT: 32 bags of *Spear egg mash* at Kansas City, Kans. Examination showed that the product contained not more than 127 grains of nicotine and not more than 563 grains of phenothiazine per 100 pounds.

LABEL, IN PART: "Spear Egg Mash [or "Spear 'All Mash' Egg Mash"] with Worm Control for Large Round Worms and Cecal Worms Active Ingredients: Nicotine as Alkaloid 175 grains and Phenothiazine 600 grains per 100 lbs."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, "Nicotine as Alkaloid 175 grains and Phenothiazine 600 grains per 100 lbs."

Misbranding, Section 502 (a), the statements "Egg Mash with Worm Control for Large Round Worms and Cecal Worms * * * it has the Spear Worm Control Formula built-in the feed as an effective treatment against large round worms and cecal worms," appearing on the tag attached to the bags, were false and misleading since the article when used as directed, namely, "It is to be fed 5 consecutive days each month in place of regular Spear * * * Feeds. It is not necessary to feed this special feed more than 5 days each month," would not constitute an effective control or treatment of large round worm and cecal worm infestation of poultry.

DISPOSITION: June 24, 1950. Default decree of condemnation and destruction.

INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 3181 TO 3200

PRODUCTS

	N. J. No.		N. J. No.
Acidofilac -----	¹ 3190	Celery Fruit (celery seed), Fluid	
Amberin -----	² 3193	Extract No. 118; and Celery	
Antihistamine tablets -----	3183	Compound, Green's -----	3188
Arthritis, remedies for -----	3187, 3188	Creme-A-Tone -----	3191
Breed -----	3199	Devices -----	3192, 3197
Calcium fluoride tablets, calcium		Egg mash, Spear -----	3200
phosphate tablets, and cal-		Elgyn capsules -----	3191
cium sulfate tablets -----	3196		

¹ (3190) Permanent injunction issued.

² (3193) Prosecution contested.